

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, October 28, 2009 at 1:00 p.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

<b>Present:</b>	Councilmember Howard Shook, Chair	Jim Glass, CFO
	Councilmember Felicia A. Moore	Departmental Staff
	Councilmember Carla Smith	
	Councilmember Cleta Winslow	
	Councilmember Jim Maddox	
	Councilmember Clair Muller	

Chairperson Shook called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Carla Smith, Cleta Winslow, Jim Maddox and Clair Muller. Other Departmental staff was present as well.

The Agenda was adopted as printed with three new Resolutions. The minutes of the Finance/Executive Committee October 14, 2009 were adopted as well.

### **CONSENT AGENDA**

#### **TO PROVIDE FOR THE ANNEXATION OF PROPERTY LOCATED AT 1500 KAY LANE**

09-O-1864 (1)      An Ordinance by Finance/Executive Committee to provide for the annexation of property located at 1500 Kay Lane to the corporate limits of the City of Atlanta, Georgia pursuant to the 100% method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such annexation; and for other purposes.

#### **FAVORABLE ON FIRST READ**

#### **TO ANTICIPATE AND APPROPRIATE GRANT FUNDS**

09-O-1865 (2)      An Ordinance by Finance/Executive Committee to anticipate and appropriate Grant Funds in the total amount of \$13,977,695 to be received from the Federal Aviation Administration's Offer Via Grant Agreement AIP 3-13-0008-90, for the payment of the United States share of 100% of allowable costs incurred in accomplishing the project listed as "Construct Apron, Phase II"; and for other purposes.

#### **FAVORABLE ON FIRST READ**

#### **TO ANTICIPATE AND APPROPRIATE GRANT FUNDS**

09-O-1866 (3)      An Ordinance by Finance/Executive Committee to anticipate and appropriate Grant Funds in the total amount of \$7,659,130 to be received from the Federal Aviation Administration's Offer Via Grant Agreement AIP 3-13-0008-91, for the payment of the United States share of 75% of allowable costs incurred in accomplishing the project listed as "Construct Apron, Phase III"; and for other purposes.

#### **FAVORABLE ON FIRST READ**

**REGULAR**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO WAIVE THE SOURCE SELECTION PROVISIONS**

- 09-O-1784 (1)      An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee to waive the Source Selection Provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the Prior provision of Support Services by AT&T Communication Systems Southeast under the Agreement executed for the period beginning July 1, 2009 through November 15, 2009; to enter into a Cooperative Purchasing Agreement with AT&T Communication Systems for Telecommunications Support Services from November 16, 2009 through June 30, 2010 utilizing the State of California's Fast Open Contracts Utilization Services Contract Number 2005081 for an amount not to exceed two hundred eighty thousand, six hundred eight dollars and no cents (\$280,608.00), all Funds to be charged to and paid from Fund, Department, Organization, and Account Numbers 1001 (General Fund) 050209 (DIT IT Telecommunications) 522002 (Repair and Maintenance – Equipment) 1535000 (Data Processing/Management Information Systems); and for other purposes.

**FAVORABLE**

Councilmember Winslow asked if there is something in regards to upgrading the 911 Call Center.

**Mr. Dennis Gordon:** Regional Manager of AT&T addressed the Committee by stating that AT&T recognizes there are issues to address. We have spoken with Ms. Luz Burrero. We are aware of the issues. We do not have an estimated date on when it will be fixed. He will provide additional information to the Committee.

**TO AMEND THE FY 2010 GENERAL FUND BUDGET**

- 09-O-1815 (2)      A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY 2010 General Fund Budget by transferring Appropriations in the amount of \$1,135,089.02 from General Fund to various Departments affected by the flood within the General Fund and Park Design and to establish Projects to assist with the Flood Recovery; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA and adds the amount, 10/28/09)**

**FAVORABLE ON SUBSTITUTE**

**Mr. Roosevelt Council:** Chief of Budget and Fiscal Policy addressed the Committee by stating that some Departments have incurred some expenses paying into the flood. We have identified funds outside of those Departments. Councilmember Moore asked where is the money coming from? Mr. Council responded the Non-Departmental fund.

**Ms. Sandra Jennings:** of the Department of Public Works addressed the Committee by stating that they lost their entire Northeast Compound Maintenance Unit. We have been rotating. This will allow us to replace it. We have a huge erosion issue. Some of the area has EPA tape around it. Mr. Council stated that he just spoke with the Department of Public Works and they will bring forward a paper on Monday. Councilmember Winslow asked why aren't we taking the money out of Reserves for emergencies. CFO Glass added that Mr. Council has been able to identify some

overruns. We are trying to hold the Restricted Reserves for as long as we can. We may have to use it later on. He encourages the Committee to look hard at Councilmember's funds, who are not returning. We may need every dollar we can get at the end of the day. Councilmember Moore offered a motion to **Approve on Substitute, 5 Years.**

#### **TO REPEAL PART TWO, ARTICLE X**

09-O-1876 (3) An Ordinance by Councilmembers Ceasar C. Mitchell, C.T. Martin, Jim Maddox, Joyce Sheperd, Ivory Lee Young, Jr., Felicia A. Moore, Clair Muller, Mary Norwood, Carla Smith, Cleta Winslow, Natalyn Archibong, Howard Shook and Kwanza Hall to repeal Part Two, Article X known as the "Procurement and Real Estate Code" of the Code of Ordinances of the City of Atlanta so as to enact a new Part Two, Article X known as the "Procurement and Real Estate Code", to promote the economic welfare of the people of the City of Atlanta; to promote full and equal business opportunity for all persons doing business with the City of Atlanta; to promote commerce by assisting Small Business Enterprises (SBEs) to actively participate in the City of Atlanta's Procurement Process; to eliminate disparities in the utilization of Minority and Female Business Enterprises in the Greater Atlanta Metropolitan Area; to repeal conflicting Ordinances; and for other purposes.

#### **HELD**

Chairperson Shook stated that there was a Study done regarding this paper. The Council has received the proposed new Chapter of the red line version. There is a pending lawsuit. We will have an Executive Session regarding the pending lawsuit. The Committee convened at 1:20 p.m. The Committee reconvened at 1:40 p.m. This paper will be Held.

#### **TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS**

09-O-1878 (4) An Ordinance by Councilmember Howard Shook **as Substituted by Finance/Executive Committee (1), 10/28/09** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances allowing the City to enter into Renewal Agreement No. 1 with Wright-Brown Electric Company, Inc., for FC-3006008004, Installation, Relocation, Removal, and/or Revisions of Traffic Signals, Reversible Lane Signals, and /or Street Lights and Associated Hardware, for the installation of Signals and Radar Signs for the Wieuca Road Project, on behalf of the Department of Public Works, in an amount not to exceed one hundred seventy thousand one hundred twenty five dollars (\$170,125.00); all contracted work shall be charged to and paid from various Fund Department Accounts and Center Numbers; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 10/28/09)**

#### **FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute.

**Ms. Madelyn Grant:** of the Department of Public Works addressed the Committee by stating that this is for the installation of signals and radar signs. This reestablishes the contract with Wright-Brown Electric Company, Inc. We want to provide additional funding for the Pedestrian Safety Improvements. Councilmember Maddox stated that in

order for the work to be completed we will have to move forward. He knows how important the project is. He then offered a motion to **Approve, 5 Yeas.**

**TO AMEND THE 2009 (GEN. GOV'T OUTLAY FUND) BUDGET**

09-O-1882 (5) An Ordinance by Councilmember Clair Muller amending the 2009 (Gen. Gov't Outlay Fund) Budget by transferring from Appropriations (3502.000001.1340001.000000) in the amount of one hundred thirty eight thousand one hundred twenty eight dollars and twenty four cents (\$138,128.24) to add to Anticipations (7701.140106.391.2009.6220000. 600356.6999) and Appropriations (7701.140106. 5411001.6220000.600356.6999) for Park Design and Construction of the Howard Property on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.

**FAVORABLE**

**Ms. Diane Harnell-Cohen:** Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that we are transferring money that is sitting in the Department of Public Works from the Trust for Public Land. It is in Councilmember Muller's District. Chairperson Shook offered a motion to **Approve, 6 Yeas.**

**TO EXECUTE MASTER IT ON-CALL STAFFING AGREEMENTS WITH CDI IT SOLUTIONS**

09-R-1867 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Master IT On-Call Staffing Agreements with CDI IT Solutions, a division of CDI Corporation, 3I People, Inc., Think Development Systems, Inc., First Pro, Inc., Techni-Source, Inc., and Stellar Services for FC-4900, On-Call Information Technology Staffing Services; authorizing the Chief Information Officer for the Department of Information Technology and the Aviation Assistant General Manager – Information Services Division to execute all statements of work. All contracted work will be charged to and paid from Various Accounts not to exceed \$1,000,000.00 per year for each Department.

**HELD**

**TO AUTHORIZE THE MAYOR TO EXECUTE THE SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT**

09-R-1875 (2) A Resolution by Finance/Executive Committee authorizing the Mayor to execute the Second Amendment to the Intergovernmental Agreement by and among the City of Atlanta, the Atlanta Development Authority and the Atlanta Independent School System, dated December 31, 2005 and amended on August 17, 2009, in connection with the Beltline Tax Allocation District; and for other purposes.

**FAVORABLE**

**Ms. Clair Coleman:** Senior Assistant City Attorney addressed the Committee by stating that this is the Second Amendment to the Intergovernmental Agreement. We wanted to make sure how the Debt Service payments are paid out. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

**TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA**

- 07-O-0138 (1) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

**HELD**

**TO AMEND ARTICLE V. CLASSIFICATION PLAN**

- 07-O-0974 (2) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

**HELD**

**TO SUPPORT H.R. 2447**

- 07-R-2138 (3) A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

**HELD**

**TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007**

- 07-R-2139 (4) A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

**HELD**

**TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT**

- 08-R-0510 (5) A Resolution by Councilmembers Howard Shook and Cleta Winslow authorizing the Mayor to enter into an Intergovernmental Agreement with the Fulton County District Attorney for a period of three years in an amount not to exceed twenty six thousand dollars and no cents (\$26,000.00) per month for services for the City of Atlanta under for Consultation and Support Services to Victims and Witnesses of Crime; all contracted work to be Charged and Paid From Fund, Account and Center Number 3P01 (Agency Fund) 264017 (Muni Court VW ASST PRG (MCVW) A00001 (Balance Sheet Center); and for other purposes. **(Held, 3/12/08)**

**HELD**

**TO ESTABLISH AND IMPLEMENT A COST NEUTRAL DEFERRED RETIREMENT OPTION RETIREMENT PLAN**

- 08-O-0736 (6) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to engage on behalf of the City of Atlanta

to establish and implement a Cost Neutral Deferred Retirement Option Retirement Plan as an additional benefit for the members of the City of Atlanta Firefighter's Pension Fund and the City of Atlanta Police Officers Pension Fund; and for other purposes. **(Held, 5/14/08)**

**HELD**

**TO PROVIDE FOR THE ISSUANCE AND SALE OF TAX ALLOCATION BONDS (PERRY BOLTON PROJECT), SERIES 2008**

08-O-0822 (7) An Ordinance by Councilmember Felicia A. Moore to provide for the Issuance and Sale of Tax Allocation Bonds (Perry Bolton Project), Series 2008, in the aggregate principal amount not to exceed \$1\_\_\_\_\_ (the "Series 2008 Bonds"), to pay, or to be applied or contributed toward, the payment of redevelopment costs associated with the Projects identified on Schedule 1 hereto (the "2008 Projects"); to authorize paying expenses incident to accomplishing the foregoing; to authorize the execution of a Indenture of Trust, a Bond Placement Agreement, Separate Development Agreements with the developers of each of the 2008 Projects and approving the use and distribution of a Preliminary Limited Offering Memorandum and Final Limited Offering Memorandum; to clarify the intent of the initial Resolution (as defined herein) with respect to the termination of the Perry Bolton TAD (as defined herein) and for certain other purposes, all in connection with the Issuance and Sale of the foregoing described Series 2008 Bonds. **(Held, 4/30/08)**

**HELD**

**TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA**

08-O-0829 (8) An Ordinance by Howard Shook to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1. Et Seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA. Laws P. 4469, Et Seq., by amending Article 2, Chapter 3, Section 2 -302© so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes, fees, or bond indebtedness; and for other purposes. **(3<sup>rd</sup> Reading/Final Adoption); (Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER TWO, ARTICLE VI, DIVISION 2, SUBDIVISION II, SECTION 2-351**

08-O-0830 (9) An Ordinance by Howard Shook to amend Chapter Two, Article VI, Division 2, Subdivision II, Section 2-351 (Entitled, "Authorization to Issue Commercial Paper.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase in Bond Indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER 146, DIVISION 1, ARTICLE II, SECTION 146-26**

- 08-O-0831 (10) An Ordinance by Howard Shook to Amend Chapter 146, Division 1, Article II, Section 146-26 (Entitled, "Levy."), Chapter 146, Article II, Section 146-79 (Entitled, "Levied.") and Chapter 146, Article IV, Section 146-113 (Entitled, "Excise Tax Levied; Collection.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION 1, SECTION 2-69**

- 08-O-0833 (11) An Ordinance by Howard Shook to amend Chapter Two, Article II, Division 2, Subdivision I, Section 2-69 (Entitled, "Quorum; Vote Required for Passage of Legislation.") and Chapter Two, Article II, Division 2, Subdivision II, Section 2-96© (Entitled, "Presence at Meetings; Voting on Questions.") of the Code of Ordinances of the City of Atlanta, so as to require an Affirmative Vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in new fees and taxes or an increase in existing taxes, fees, or bond indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-105**

- 08-O-0834 (12) An Ordinance by Councilmember Howard Shook as amended by Finance /Executive Committee to amend Chapter Two, Article II, Division 2, Subdivision II, Section 2-105 (Entitled, "Establishment or Change in Fees for Service; Notice to Public.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in new fees and an increase in fees; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND THE FY 2009 BUDGET**

- 08-O-1446 (13) An Ordinance by Councilmember C.T. Martin to amend the FY 2009 Budget so as to add to the Budget, Funding of the Judicial Agencies in the amount of \$350,000.00; to reduce the adopted Budget by said amount; and for other purposes. **(Referred back by Full Council, 2/16/09); (Held, 2/25/09)**

**HELD**

**TO AMEND THE PENSION ACTS**

- 08-O-1545 (14) An Ordinance by Councilmember C.T. Martin to amend the Pension Acts applicable to members of the General Employees Pension Fund of the City of Atlanta, so as to provide for a Retirement Program for employees involuntarily separated to balance the City of Atlanta 2009 and 2010 Fiscal Year Budgets and for Reorganization of the Workforce; and for other purposes. **(Held for Actuary Report, 7/30/08); (File, 2/11/09); (Referred back from Full Council, 2/16/09); (Held, 2/25/09)**

**HELD**

**TO AMEND THE FY 2009 (GENERAL FUND) BUDGET**

- 08-O-1688 (15) An Ordinance by Councilmember Ceasar C. Mitchell to amend the FY 2009 (General Fund) Budget to reopen and maintain Atlanta Fire Station No. 7 by Transferring Appropriations from various Consulting, Supply, Travel and Other Non-Personnel Accounts yet to be determined to the Department of Fire and Rescue Budget Fund Department Account and Organization Number; and for other purposes. **(Forward with no Recommendation, 8/27/08); (Forwarded back by Full Council, 9/2/08); (Held, 9/10/08)**

**HELD**

**TO ESTABLISH A CITY OF ATLANTA TAXATION AND SERVICE DELIVERY TECHNICAL ADVISORY COMMITTEE**

- 08-R-1752 (16) A Resolution by Councilmember Mary Norwood establishing a City of Atlanta Taxation and Service Delivery Technical Advisory Committee; and for other purposes. **(Held, 9/10/08)**

**HELD**

**TO ACCEP A DONATION IN THE AMOUNT OF \$ \_\_\_\_\_**

- 08-O-2034 (17) An Ordinance by Councilmember Cleta Winslow authorizing the Mayor or her Designee to accept a donation in the amount of \$\_\_\_\_\_ from the Atlanta Fire Foundation on behalf of the Atlanta Department of Fire and Rescue to fund the renovation of Fire Station #7; and for other purposes. **(Held, 10/15/08)**

**HELD**

**TO AMEND CHAPTER 114 ARTICLE IV DIVISION 12 SECTION 14-379**

- 08-O-2135 (18) An Ordinance by Councilmembers H. Lamar Willis and C.T. Martin to amend Chapter 114 Article IV Division 12 Section 14-379 of the Code of Ordinance of the City of Atlanta so as to provide for Written Justification and Hearing for any Reduction In Force by Executive or Legislative Actions involving Public Safety and Court Employees; to waive conflicting Ordinances; and for other purposes. **(Held, 10/29/08); (Held and Substituted, 11/12/08); (Held and Substituted, 4/29/09)**

**HELD**



**TO ENTER INTO AN AGREEMENT WITH MOTOROLA, INC.**

- 09-R-0183 (19) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Motorola, Inc. utilizing the State of Georgia Technology Authority Agreement No. 980-2800008 for the purchase of a Georgia Global Positioning System Two-Way Radio Communication Equipment, on behalf of the Department of Watershed Management, Office of Safety and Security, in an amount not to exceed three hundred seventy-five thousand seven hundred fifty dollars and no cents (\$375,570.00); all contracted work will be charged to and paid from Fund, Department Organization and Account Number 5052 (Water & Wastewater Revenue) 170902 (DWM Watershed Safety) 5212001 (Consulting/Professional) 1555000 (Risk Management); and for other purposes. **(Held, 1/28/09)**

**HELD**

**TO AMEND CHAPTER 62, ARTICLE II, SECTION 62-46**

- 09-O-0203 (20) An Ordinance by Councilmember Ceasar C. Mitchell to amend Chapter 62, Article II, Section 62-46 of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "Pretrial Diversion Fee") so as to specify the General Fund uses for which the fees shall be allocated; to waive conflicting Ordinances; and for other purposes. **(Held, 1/28/09)**

**HELD**

**TO ENTER INTO AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT (IGA)**

- 09-R-0263 (21) A Resolution by Councilmember Ivory Lee Young, Jr. authorizing the Mayor or her designee to enter into an amendment to the Intergovernmental Agreement (IGA) authorized by Resolution 08-R-1694 with the Atlanta Development Authority so as to ensure that the expenditure of Westside TAD Funds through In Rem action can be used to effect not only the demolition of also the Clean and Close of structures located within the English Avenue Neighborhood identified as abandoned and/or dilapidated by the Bureau of Code Compliance; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO PROPOSE THE CREATION OF THE SOUTHWEST ATLANTA COMMUNITY IMPROVEMENT DISTRICT**

- 09-R-0264 (22) A Resolution by Councilmembers H. Lamar Willis and Jim Maddox proposing the creation of the Southwest Atlanta Community Improvement District as authorized by the General Assembly of the State of Georgia in the Atlanta Community Improvement District Act, contingent upon the consent of the majority of the owners of real property within the District boundaries; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO PROVIDE A REPORT TO THE FULL COUNCIL**

- 09-R-0270 (23) A Resolution by Councilmember Mary Norwood requesting the Department of Finance to provide a report to the Full Council regarding the Plan of Financing for Department of Watershed Projects to be funded by Commercial Paper; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO ADOPT UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965**

- 09-O-0271 (24) An Ordinance and Charter Amendment by Councilmembers C.T. Martin, Ivory Lee Young, Mary Norwood, Anne Fauver and Natalyn Archibong adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (GA. Laws 1965, p. 298, et seq.) as amended, to create a new Section 3-502.1 (entitled "Ordinance Required To Impose Furloughs on certain Public Safety Employees") of the Charter of the City of Atlanta, Georgia (GA Laws 1996, P. 4469, et seq.) approved April 15, 1996, as amended, which shall provide that an Ordinance adopted by a majority vote of the Council shall be required in order to impose furloughs on certain Public Safety Employees; to repeal conflicting Ordinances and Charter Amendments; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO TRANSFER \$50,000.00 FROM DISTRICT 8 COUNCILMEMBER EXPENSE ACCOUNT**

- 09-O-0377 (25) An Ordinance by Councilmember Clair Muller to transfer \$50,000.00 from District 8 Councilmember Expense Account to the Department of Public Works Office of Transportation to be used to assist in funding portions of the Peachtree Battle Neighborhood Intersection Project; and for other purposes. **(Held, 2/25/09)**

**HELD**

**TO AMEND ATLANTA CODE OF ORDINANCES CHAPTER 46**

- 09-O-0803 (26) A **Substituted** Ordinance by Finance/Executive Committee amending Atlanta Code of Ordinances Chapter 46, entitled Civic and Cultural Affairs, by adding a new Article IV that shall be entitled Entertainment Filming Fees; and for other purposes. **(Held, 5/13/09); (Held and Substituted, 10/28/09)**

**HELD AND SUBSTITUTED**

Chairperson Shook stated that we have a Substitute.

**Mr. Greg Pridgeon:** addressed the Committee by stating that the Mayor would appreciate the Committee accepting the Substitute. We will have a Public Hearing at the December 2<sup>nd</sup> meeting. Councilmember Maddox asked if you are asking the NPU to vote on it. Mr. Pridgeon responded that it is for information purposes only.

**TO CREATE THE POSITION OF CITY COUNCIL FISCAL REVIEW MANAGER**

- 09-R-0817 (27) A Resolution by Councilmember Clair Muller creating the position of City Council Fiscal Review Manager, a position on the Council Staff that will review all Legislation with will have a fiscal impact. **(Held, 4/29/09)**

**HELD**

**TO REPEAL SUBPARAGRAPH (K) (5) OF SECTION 2-36 AND SUBPARAGRAPH (E) OF SECTION 2-39**

- 09-O-0818 (28) An Ordinance by Councilmember Howard Shook to repeal Subparagraph (k) (5) of Section 2-36 and Subparagraph (e) of Section 2-39 of the Code of Ordinances of the City of Atlanta, Georgia so as to eliminate the "Cash Carryforward" Provision related to the Expense Accounts and Appropriations of the Council President and Councilmembers; to waive conflicting Ordinances; and for other purposes. **(Held, 4/29/09)**

**HELD**

**TO AMEND ARTICLE "V" CLASSIFICATION PLAN, SECTION 114-477**

- 09-O-0820 (29) An Ordinance by Councilmember H. Lamar Willis to amend Article "V" Classification Plan, Section 114-477 of the Code of Ordinances, City of Atlanta, Georgia, so as to create certain positions; and for other purposes. **(Held, 4/29/09)**

**HELD**

**TO ANTICIPATE AND APPROPRIATE FUNDS**

- 09-O-0911 (30) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee, on behalf of the City, to Anticipate and Appropriate Funds donated by legends to the City of Atlanta's Office of Recreation; and for other purposes. **(Held and Substituted, 5/27/09)**

**HELD**

**TO EXECUTE A GROUND SITE LEASE WITH CLEARWIRE US LLC**

- 09-O-1053 (31) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designees to execute a ground site lease with Clearwire US LLC for the purpose of providing Wireless Communication Services; and for other purposes. **(Held, 7/1/09)**

**HELD**

**TO ACCEPT AND ENTER INTO A CONTRACTUAL AGREEMENT**

- 09-O-1184 (32) An Ordinance by Finance/Executive Committee authorizing the Mayor to accept and enter into a Contractual Agreement between the City of Atlanta and the Georgia Environmental Facilities Authority ("GEFA") State Revolving Fund Loan Program for the purposes of securing a subsidized loan under the Clean and Drinking Water State Revolving Fund; to amend the FY 2010 Budget to anticipate and appropriate funds in the amount not to

exceed fifteen million dollars and no cents (\$15,000,000.00); and for other purposes. **(Held, 7/15/09)**

**HELD**

**TO APPOINT MS. CAROL KING TO SERVE AS A MEMBER OF THE CIVIL SERVICE BOARD**

09-C-1208 (33) A Communication by Mayor Shirley Franklin appointing Ms. Carol King to serve as a member of the Civil Service Board on behalf of the City of Atlanta. This appointment is to fill the unexpired term of Carole Dortch to expire May 21, 2010. **(Held, 7/15/09)**

**FILE**

Chairperson Shook offered a motion to **File, 6 Yeas.**

**TO AMEND CHAPTER 114, DIVISION 14, SECTION 114-429**

09-O-1217 (34) An Ordinance by Councilmember Carla Smith to amend Chapter 114, Division 14, Section 114-429 (a) and (e) of the City of Atlanta Code of Ordinances entitled "Voluntary Shared Leave Program", to revise the Section to include the donation of Reserve Sick Leave; and for other purposes. **(Held, 7/15/09)**

**HELD**

**TO ACCEPT THE DONATION OF A WIND TURBINE**

09-R-1365 (35) A Resolution by Finance/Executive Committee authorizing the Mayor to accept the donation of a wind turbine valued at twenty thousand dollars (\$20,000.00) from Southeast Energy Efficiency Alliance and the Gates Foundation, on behalf of the Office of the Mayor, to create a Demonstration Renewable Energy Project at Hemphill Water Treatment Facility; and for other purposes. **(Held, 7/29/09)**

**HELD**

**SERIES 2009B/C/D/E SUPPLEMENTAL BOND ORDINANCE**

09-O-1378 (36) An Ordinance by Councilmembers Howard Shook and Clair Muller Series 2009B/C/D/E Supplemental Bond Ordinance supplementing and Amending that certain Fourteenth Supplemental Bond Ordinance of the City of Atlanta adopted on July 6, 2009, to, among other things, set forth the terms of (1) the Airport General Revenue Bonds, Series 2009B and Series 2009C (The "Series 2009B/C Bonds") and (2) the Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds, Series 2009D and Series 2009E (The "Series 2009D/E Bonds", together with the Series 2009B/C Bonds, the "Series 2009B/C/D/E Bonds") within certain parameters previously established by the City including the original aggregate principal amount, interest rates, maturity amounts, maturity dates, redemption provisions and debt service reserve requirement with respect thereto; ratify certain prior actions of the City Council and certain Officers and Agents of the City with respect to the Issuance and Sale of the Series 2009B/C/D/E Bonds; designate the Underwriters and Bond Counsel with respect to said Series

2009B/C/D/E Bonds; approve the form and authorizing the execution of a Bond Purchase Agreement and certain other Agreements in connection with said Series 2009B/C/D/E Bonds; authorize and approve the preparation, use and distribution of a Final Official Statement in connection with the Offer and Sale of said Series 2009B/C/D/E Bonds; (set forth the terms and covenants associated with a Municipal Bond Issuance Policy related to said Series 2009B/C/D/E Bonds); provide an effective date; and for other related purposes. **(Held, 7/29/09)**

**HELD**

**SERIES 2009A SUPPLEMENTAL BOND ORDINANCE**

09-O-1379 (37) An Ordinance by Councilmembers Howard Shook and Clair Muller Series 2009A Supplemental Bond Ordinance supplementing and amending that certain Thirteenth Supplemental Bond Ordinance of the City of Atlanta adopted on July 6, 2009, to among other things, set forth the terms of the Airport General Revenue Refunding Bonds, Series 2009A, including the aggregate principal amount, interest rates, maturity amounts, maturity dates, redemption provisions and debt service reserve requirement with respect thereto; ratify certain prior actions of the City Council and certain Officers and Agents of the City with respect to the Issuance and Sale of the Series 2009A Bonds; designate the Underwriters and Bond Counsel with respect to said Series 2009A Bonds; approve the form and authorizing the execution of a Bond Purchase Agreement and certain other Agreements in connection with said Series 2009A Bonds; authorize and approve the preparation, use and distribution of a Final Official Statement in connection with the offer and sale of said Series 2009A Bonds, (set forth the terms and covenants associated with a Municipal Bond Insurance Policy related to said Series 2009A Bonds), provide an effective date; and for other related purposes. **(Held, 7/29/09)**

**HELD**

**TO RECOMMEND THAT THE REMAINING CITY OF ATLANTA TITLE XX ALLOCATION**

09-R-1409 (38) A Resolution by Councilmembers Kwanza Hall, Cleta Winslow, Jim Maddox, H. Lamar Willis, Ceasar C. Mitchell, Ivory Lee Young, Jr., Natalyn Archibong and Mary Norwood recommending that the remaining City of Atlanta Title XX Allocation of \$42 million (ACORA Funds) be placed in a Revolving Loan Fund to the Atlanta City Credit Union; and for other purposes.

**HELD**

**TO CREATE A NEW SECTION 2-45**

09-O-1650 (39) An Ordinance by Councilmember C.T. Martin to create a new Section 2-45 of the Code of Ordinances of the City of Atlanta, Georgia, located under Chapter 2 (Administration), Article II (Council), Division 1 (Generally), and currently designated as "Reserved", to be re-designated as "Access to City-Owned or City-Affiliated Parking Facilities by Members of the Atlanta City Council", so as to provide that Members of the Atlanta City Council shall, upon request, to be provided with access cards, at

no cost to the Council Member, for the purpose of gaining vehicular access to any Parking Facility owned by the City of Atlanta or an facility affiliated with the City of Atlanta; to waive conflicting Ordinances; and for other purposes. **(Referred back Committee On Council to Finance/Executive Committee at Full Council, 9/21/09); (Held, 9/30/09)**

**HELD**

**TO AMEND SUBSECTION (A) OF SECTION 2-1139**

09-O-1653 (40) An Ordinance by Councilmember C.T. Martin to amend Subsection (a) of Section 2-1139 (Using Agency Requirements) of Chapter 2 (Administration), Article X (Procurement and Real Estate Code), Division 2 (Chief Procurement Officer), of the Code of Ordinances of the City of Atlanta, Georgia so as to provide that no person employed in the Executive Office of the Mayor shall serve as a member of a Procurement Evaluation Team or shall in any way participate in the Procurement Process; to waive conflicting Ordinances; and for other purposes. **(Held, 9/16/09)**

**HELD**

**TO RE-APPOINT MS. GLORIA LEONARD TO SERVE AS A MEMBER OF CIVIL SERVICE BOARD**

09-C-1658 (41) A Community by Mayor Shirley re-appointing **Ms. Gloria Leonard** to serve as a member of Civil Service Board on behalf of the City of Atlanta. This re-appointment is for a term of three (3) years to expire on December 3, 2010. **(Held, 10/13/09)**

**FAVORABLE**

**Ms. Gloria Leonard:** addressed the Committee by stating that this is her third term and she is happy to serve. Councilmember Moore asked if there are any issues that need improvement from the City's stand point. Ms. Leonard responded that we have made changes.

**TO WRITE-OFF \$811,011.36 OF UNCOLLECTIBLE WATER AND WASTEWATER ACCOUNTS**

09-O-1701 (42) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to write-off \$811,011.36 of uncollectible water and wastewater accounts receivable with balances extending beyond the statute of limitations; and for other purposes. **(Held, 10/14/09 by the Committee for further review)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF 4776 CAMPBELLTON ROAD**

09-O-1797 (43) An Ordinance by Councilmember Jim Maddox to provide for the annexation of 4776 Campbellton Road (Parcel ID #14F-0065-0001-003-0), Parcel Identification #14F-0076-LL-008-8 (A.K.A. Kenny Rd, Rear), 2167 Alan Drive (Parcel ID #14F-0065-0001-013-9) to the corporate limits of the City of Atlanta, Georgia pursuant to 60% method of annexation; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of

Community Affairs of such annexation; and for other purposes.  
**(Held for Public Hearing on November 9<sup>th</sup> @ 10:00 a.m. in  
 Committee Room #2, 10/14/09)**

**HELD**

**TO TRANSFER FUNDS IN THE TOTAL AMOUNT OF \$**

09-O-1804 (44) An Ordinance by Councilmember Felicia A. Moore to transfer funds in the total amount of \$\_\_\_\_\_ from various Councilmember Expense Accounts to the Community Foundation of Metro Atlanta to assist residents of the City of Atlanta who were affected by the flood which occurred on September 21, 2009; and for other purposes. **(Held, 10/14/09)**

**HELD**

**ITEMS NOT ON AGENDA**

Councilmember Moore clarified that 100% use of the Non-Departmental funds is if our policies are based on our funds. It is to enhance the quality of our District. Charity begins at home. We should leave it in our Accounts for the City to use when we are in a crisis. CFO Glass stated that we will give a verbal recap at the next meeting. We will see revenues change. We are under running our revenues. He expects expenses are under running by \$10 million dollars. He is assured that things do look better. Based on our collection rate, we have nailed the numbers we are receiving. He is cautiously optimistic. Councilmember Moore stated that one of her constituents said that his tax bills have not been received by his mortgage company. Have we come up with a date for the Work Session for the Stabilization Plan.

**TO AMEND THE FY 2010 ( ) BUDGET**

09-O-1897 (1) An Ordinance by Finance/Executive Committee amending the FY 2010 ( ) Budget by adding to anticipations and appropriations in the amount of \$\_\_\_\_\_ for insurance proceeds received for damage to City-Owned Property caused by flooding which occurred as a result of heavy rainfall beginning September 18, 2009; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AMEND THE FY 2010 ( ) BUDGET**

09-O-1898 (2) An Ordinance by Finance/Executive Committee amending the FY 2010 ( ) Budget by adding to anticipations and appropriations in the amount of \$\_\_\_\_\_ for funding received from the Federal Emergency Management Agency for damage to City-Owned Property caused by flooding which occurred as a result of heavy rainfall beginning September 18, 2009; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE EXTENSION OF THE SERVICE DELIVERY STRATEGY AGREEMENT WITH FULTON COUNTY**

09-R-1894 (1) A Resolution by Finance/Executive Committee to authorize the extension of the Service Delivery Strategy Agreement with Fulton County and Fulton County Municipalities for a period of one

hundred twenty days to ensure the continuation of various services provided by and to the City of Atlanta, to maintain qualified Local Government status and to avoid sanctions from the State of Georgia, including loss of state funding; to authorize a mediation with Fulton County Cities in dispute with the City of Atlanta in compliance with the Service Delivery Strategy Act, O.C.G.A. §36-70-20, et seq.; to authorize the City Attorney to initiate and prosecute a Civil Action pursuant to Section 2-402 of the Code of Ordinances to seek a Stay in Sanctions from the State of Georgia as a result of a lapse in the Service Delivery Strategy Agreement and to protect and preserve Atlanta's interests in its Service Agreements, Service Areas and related Service Delivery Systems, including its water and wastewater assets; and for other purposes.

### **FAVORABLE**

Councilmember Moore asked if there is any difference. Assistant City Attorney Coleman responded that we came to the Committee in the past regarding the water with the State Assembly. We are facing similar arguments under the Service Delivery Strategy Date. Sandy Springs wants to use our water system. Atlanta disagrees with the changes. There is an October 31<sup>st</sup> deadline and we are deemed with compliance not to receive any Stimulus money. We want to continue to extend the existing Service Delivery for 120 days so we will be in compliance. The Cities of Palmetto, Fairburn and Union City in South Fulton County does not agree with the extension. Councilmember Moore stated that the extension does not change the State Law. Assistant City Attorney Coleman responded that it is important for us to go on record. DeKalb County is in a dispute as well. Councilmember Winslow asked if there is anything other than Water. Assistant City Attorney Coleman responded Roads and Elections, which is being led by Roswell. They think that Fulton County should not use General Fund revenues to fund road improvements for Unincorporated Fulton County because there are indirect costs that they charge them. Councilmember Moore asked about the Local Option Sales Tax. CFO Glass responded that it is based on the Census. Assistant City Attorney Coleman stated that if we reach an Agreement we will come back with the applications. There are two options: 1) we will reach an Agreement or 2) the Courts will decide for us. Councilmember Maddox asked if our Bonds are based on our revenues. Assistant City Attorney Coleman responded, yes. We do not have the ability to cut that lost. We have to meet our Bond Obligations and the Consent Decree process. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

**Mr. James Allen:** addressed the Committee by stating that he is here to discuss the paper regarding the water meters. He did not understand how we could purchase the meters and not have the covers come with them. The sales person should have told them that they did not come with covers. The old ones had the glass already covered on the meters. Were we charged for meters later on? Councilmember Maddox stated that they did bring the meters in. He wanted to know why the company would not cover them before they sent them out. Councilmember Moore stated that she was concerned because the cover fit on the meters. It made no sense to order them separately.

**Mr. Dave Walker:** addressed the Committee by stating that he wanted to thank Councilmember Winslow regarding putting 13 Police Officers at Alabama and Peachtree Street.



**ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 2:40 p.m.

Respectfully submitted,

Jim Glass, CFO

Charlene Parker  
Recording Secretary

***“The Department of Finance... because customer service is important to us.”***